

01-10-05

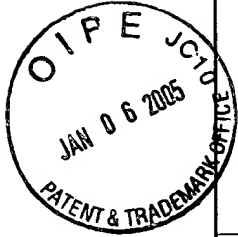
373

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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# TRANSMITTAL FORM

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/975,127
	Filing Date	October 10, 2001
	First Named Inventor	Eitan T. Wiener
	Art Unit	3731
	Examiner Name	B. C. Pantuck
Total Number of Pages in This Submission	Attorney Docket Number	02640/100G820-US1

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO/SB/08a (listing references); Return Receipt Postcard; Certificate of Express Mailing
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	DARBY & DARBY P.C.		
Signature			
Printed name	Louis J. DelGuidice		
Date	January 6, 2005	Reg. No.	47,522

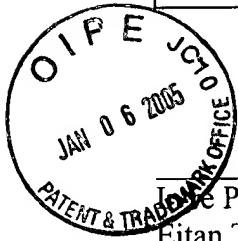
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Docket No.: 02640/100G820-US1  
(PATENT)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

\_\_\_\_\_  
I hereby Patent Application of:  
Eitan T. Wiener et al.

Application No.: 09/975,127

Customer No.: 07278

Filed: October 10, 2001

Art Unit: 3731

For: APPARATUS AND METHOD FOR  
ALERTING GENERATOR FUNCTIONS IN  
AN ULTRASONIC SURGICAL SYSTEM  
\_\_\_\_\_

Examiner: B. C. Pantuck

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom

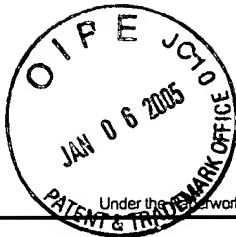
I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

A European Search Report dated December 1, 2004, which issued during the prosecution of Applicant's European Patent Application No. 01308893.5, which corresponds to the present application is enclosed, only International Application Publication No. WO 93/06776, published on April 15, 1993 and U.S. Patent No. 5,897,569 are cited in the present Information Disclosure Statement. The remaining references cited in the European Search Report were cited in an Information Disclosure Statement dated October 10, 2001 and considered by the Examiner on March 10, 2003.





PTO/SB/08a/b (08-03)  
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<b>Substitute for form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	09/975,127
				Filing Date	October 10, 2001
				First Named Inventor	Eitan T. Wiener
				Art Unit	3731
				Examiner Name	B. C. Pantuck
Sheet	1	of	1	Attorney Docket Number	02640/100G820-US1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	US-5,897,569	04-27-1999	Scott Kellogg et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	BA	WO-93/06776 A	04-15-1993	Interflo Medical Inc.		

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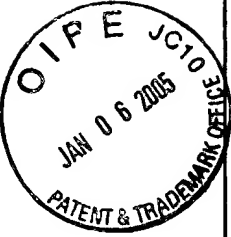
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Attorney Docket No.: 02640/100G820-US1



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